ORDINANCE NO. ______

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
AMENDING CHAPTER 8.07 OF THE CAPITOLA MUNICIPAL CODE
(REDUCTION OF SINGLE-USE PLASTIC AND PAPER CARRYOUT BAGS)
TO CHANGE THE THICKNESS REQUIREMENT OF PLASTIC REUSABLE BAGS

BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAPITOLA AS
FOLLOWS:

Section 1. Chapter 8.07 of the Capitola Municipal Code is hereby amended to read as follows:

“CHAPTER 8.07”
SINGLE-USE PLASTIC AND PAPER CARRYOUT BAG REDUCTION

Sections:
8.07.010 Purpose and Findings
8.07.020 Definitions
8.07.030 Ban on Plastic Carryout Bags and Store Charge for Single-Use Paper Carryout Bags
8.07.040 Implementation
8.07.050 Exemptions Allowing Single Use Bags
8.07.060 Enforcement
8.07.070 Violations
8.07.080 Severability
8.07.090 Effective Date
8.07.100 No Conflict With Federal or State Law
8.07.110 Preemption

8.07.010 Purpose and Findings.

A. It is the intent of the City of Capitola, in enacting this chapter to eliminate the common
use of plastic single-use carryout bags, encourage the use of reusable bags by consumers and
retailers, and to reduce the consumption of single-use bags in general.

10. State law currently prohibits local jurisdictions from placing fees on single-use
checkout plastic bags. Therefore, several Many California Cities have adopted or
are pursuing a ban as the most effective remaining means to eliminate the impacts these
plastic bags cause. State law does not prohibit jurisdictions from placing fees on plastic
or paper bags.

8.07.020 Definitions.

For the purposes of this Chapter, the following definitions apply:

E. "Reusable bag" means any bag with handles that is specifically designed and
manufactured for multiple reuse, and meets the following requirements: 1) is either
made of cloth or other washable woven fabric, or made of durable material including
plastic that is at least 2.254.0 mils thick; 2) has a minimum lifetime of 125 uses, which for
purposes of this subsection, means the capability of carrying a minimum of 22 pounds 125 times over a distance of at least 175 feet; 3) has a minimum volume of 15 liters; 4) is washable; and 5) and 2) does not contain lead, cadmium, or any other heavy metal in toxic amounts. A reusable bag may be made of recyclable plastic such as high density polyethylene (HDPE), low density polyethylene (LDPE), or polypropylene.

8.07.090 Effective date.

This ordinance shall become effective two (2) months after the date of final passage by the City of Capitola City Council.

This ordinance was introduced on the 22nd day of May, 2014, and was passed and adopted by the City Council of the City of Capitola on the 12th day of June, 2014, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

Sam Storey, Mayor

ATTEST:

CMC

Susan Sneddon, City Clerk